

JUN 06 2011

JULIA C. DURLEY, CLERK
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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

ANTHOINE PLUNKETT,)	
)	Criminal Action No. 4:04-cr-70083
Petitioner,)	Civil Action No. 4:09-cv-80205
)	
v.)	<u>ORDER</u>
)	
UNITED STATES OF AMERICA,)	By: Hon. Glen E. Conrad
)	Chief United States District Judge
Respondent.)	

In accordance with the accompanying memorandum opinion, it is now

ORDERED

as follows:

1. The respondent's motion to dismiss shall be and hereby is **GRANTED**;
2. A certificate of appealability is **DENIED**;
3. The petition for writ of habeas corpus filed by the petitioner shall be and hereby is **DISMISSED** and **STRICKEN** from the active docket of the court; and
4. The petitioner's renewed motion for discovery (Docket No. 892) is dismissed as **MOOT**.

The Clerk is directed to send certified copies of this order and the accompanying memorandum opinion to the petitioner and counsel of record for the respondent.

ENTER: This 6th day of June, 2011.

Glen Conrad

Chief United States District Judge